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LETTER REGARDING REGULATORY REVIEW AND APPROVAL OF REMEDIAL ACTION
PLAN FOR BUILDING 7174 NTC ORLANDO FL
12/4/1998
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

December 4, 1998

Mr. Nick Ugolini
Code 184 (PVC)
Southern Division
Naval Facilities Engineering Command
P.O. Box 190010
North Charleston, South Carolina 29419-0068

RE: Remedial Action Plan, Building 7174, Former McCoy Annex Base
Exchange Service Station, Orlando, Florida

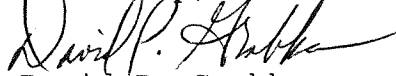
Dear Mr. Ugolini:

I have completed my review of the Remedial Action Plan for Building 7174, former McCoy Annex Base Exchange Service Station, NTC Orlando, dated September 1998 (received September 28, 1998). Please forgive the late response to this document as monitoring only for natural attenuation was being investigated as an alternative to active remediation. The Remedial Action Plan is approved as final. I have attached John Ruddell's Remedial Action Plan Approval Order to this letter.

However, as is stated in Greg Brown's attached memorandum, it may be more effective at this site to use standard air sparging/soil vapor extraction technology rather than the proposed passive biosparging. If this alternative is selected, the Navy should with all due speed prepare and submit a Remedial Action Plan Modification Report for review.

If I can be of any further assistance with this matter, please contact me at (850) 488-3693.

Sincerely,



David P. Grabka
Remedial Project Manager

cc: Lt. Gary Whipple, NTC Orlando
Wayne Hansel, Navy SouthDiv
Barbara Nwokike, Navy SouthDiv
Nancy Rodriguez, USEPA Region 4
Richard Allen, Harding Lawson Associates, Jacksonville
Steve McCoy, TetraTech NUS, Oak Ridge
Bob Cohose, Bechtel, Knoxville

Mr. Nick Ugolini
December 4, 1998
Building 7174, Main Base
Page 2

Bill Bostwick, FDEP Central District

TJB B

JJC Bh. R

ESN Bh. R

Memorandum

Florida Department of Environmental Protection

TO: David Grabka, Remedial Project Manager, Technical Review Section

THROUGH: Tim Bahr, P.G., Supervisor, Technical Review Section

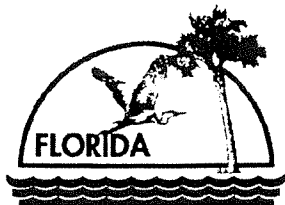
FROM: Greg Brown, Professional Engineer II, Technical Review Section *JB*

DATE: October ~~20~~, 1998

SUBJECT: Remedial Action Plan, Site 7174, McCoy Annex Base Exchange Service Station, Orlando, Florida

The Department has reviewed the subject document dated September 1998 (received September 28, 1998). In my opinion, standard SVE/AS technology would be more effective at this site than the more passive biosparging being proposed. This site has been known to be contaminated with petroleum since 1988. Given the long history of repetitious investigation and remediation, at this point in the project's life-cycle, I believe it is better to attempt cleanup using a modestly effective technology now rather than consume valuable time advocating for an optimum technology. In that regard, the subject Remedial Action Plan is adequate for its intent and the RAP Approval Order is attached.

The Navy should make all attempts to implement this RAP as soon as possible to determine whether or not the proposed biosparging technology will work as intended. If it does not perform adequately, the Navy should anticipate necessary modifications to the remedial strategy and be able to implement them without delay after discussing them with the Department's RPM. If you have any questions, call me at (850) 488-3935.



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Kirby Green
Secretary

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Nick Ugolini
Code 184 (PVC)
Southern Division
Naval Facilities Engineering Command
2155 Eagle Drive
P.O. Box 190010
North Charleston, South Carolina 29419-9100

Subject: Remedial Action Plan
Approval Order
Building 7174
Naval Training Center Orlando
Orlando, FL, Orange County
FDEP Facility ID#488840202

Dear Mr. Ugolini:

The Bureau of Waste Cleanup has reviewed the Remedial Action Plan (RAP) dated September 1998 (received September 28, 1998), submitted for this site. We found all the documents submitted to date to be adequate to meet the RAP requirements of Rule 62-770.700, Florida Administrative Code (F.A.C.). The Department has determined that the actions proposed in this RAP provide reasonable assurance that the concentrations of petroleum products' chemicals of concern at the site will be reduced to the levels set forth in Chapter 62-770, F.A.C. Pursuant to Rule 62-770.700(8), F.A.C., the Department approves the RAP as described in this RAP Approval Order (Order). The operation of the active remediation system should be initiated within 120 days, as required by Rule 62-770.700(9), F.A.C., OR an alternative time frame approved in the facility's SMP.

You are also required to submit to the Department record drawings (as-built drawings) of the treatment system within 120 days OR an alternative time frame approved in the facility's SMP

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Mr. Nick Ugolini
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Naval Facilities Engineering Command
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of initiating operation of the active remediation system(s).
These drawings must be certified by a professional engineer.

Legal Issues

The Department's Order shall become final unless a timely petition for an administrative proceeding (hearing) is filed under Sections 120.569 and 120.57, Florida Statutes (F.S.), within 21 days of receipt of this Order. The procedures for petitioning for a hearing are set forth below.

Persons affected by this Order have the following options:

If you choose to accept the above decision by the Department about the Remedial Action Plan you do not have to do anything. This Order is final and effective as of the date on the top of the first page of this Order.

If you disagree with the decision, you may do one of the following:

1. File a petition for administrative hearing with the Department's Office of General Counsel within 21 days of receipt of this Order;

OR

2. File a request for an extension of time to file a petition for hearing with the Department's Office of General Counsel within 21 days of receipt of this Order. Such a request should be made if you wish to meet with the Department in an attempt to informally resolve any disputes without first filing a petition for hearing.

Please be advised that mediation of this decision pursuant to Section 120.573, Florida Statutes (F.S.), is not available.

How to Request an Extension of Time to File a Petition for Hearing

For good cause shown, pursuant to Rule 62-110.106(4), F.A.C., the Department may grant a request for an extension of time to file a petition for hearing. Such a request must be

Mr. Nick Ugolini
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Naval Facilities Engineering Command
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filed (received) in the Department's Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from Southern Division Naval Facilities Engineering Command, shall mail a copy of the request to Southern Division Naval Facilities Engineering Command at the time of filing. Timely filing a request for an extension of time tolls the time period within which a petition for administrative hearing must be made. hearing must be filed until the request is acted upon.

How to File a Petition for Administrative Hearing

A person whose substantial interests are affected by this Order may petition for an administrative hearing under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from Southern Division Naval Facilities Engineering Command, shall mail a copy of the petition to Southern Division Naval Facilities Engineering Command at the time of filing. Failure to file a petition within this time period shall waive the right of anyone who may request an administrative hearing under Sections 120.569 and 120.57, F.S.

Pursuant to Chapter 98-200, Laws of Florida, and Rule 28-106.201, F.A.C., a petition for administrative hearing shall contain the following information:

- a) The name, address, and telephone number of each petitioner, the name, address, and telephone number of the petitioner's representative, if any, the site owner's name and address, if different from the petitioner, the FDEP facility number, and the name and address of the facility;
- b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- c) An explanation of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;

Mr. Nick Ugolini
Southern Division
Naval Facilities Engineering Command
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- d) A statement of the material facts disputed by the petitioner, or a statement that there are no disputed facts;
- e) A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and
- g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's action or proposed action.

This Order is final and effective as of the date on the top of the first page of this Order. Timely filing a petition for administrative hearing postpones the date this Order takes effect until the Department issues either a final order pursuant to an administrative hearing or an order responding to supplemental information provided pursuant to meetings with the Department.

Judicial Review

Any party to this Order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days after this Order is filed with the clerk of the Department (see below).

The FDEP Facility Number for this site is 488840202. Please use this identification on all future correspondence with the Department.

Questions

Any questions regarding the Department's review of your Remedial Action Plan should be directed to David P. Grabka,

Mr. Nick Ugolini
Southern Division
Naval Facilities Engineering Command
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Remedial Project Manager, at (850)488-3693. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850) 488-9314. Contact with any of the above does not constitute a petition for administrative hearing or request for an extension of time to file a petition for administrative hearing.


Sincerely,



John M. Ruddell, Director
Division of Waste Management

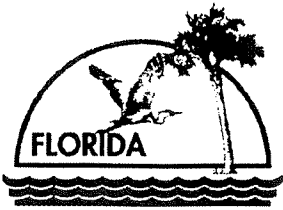
JMR/dpg

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to
§120.52 Florida Statutes, with the
designated Department Clerk, receipt
of which is hereby acknowledged.


Clerk
(or Deputy Clerk)

12/11/98
Date

c: Bill Bostwick, FDEP Central District Office
Rick Allen, Harding Lawson Associates, 2590 Executive Center
Circle, East, Tallahassee, FL 32301
Wayne Hansel, U.S. Navy, Southern Division
Lt. Gary Whipple, Naval Training Center Orlando
Nancy Rodriguez, USEPA, Region 4
Steve McCoy, TetraTech NUS, Oak Ridge
Bob Cohose, Bechtel, Knoxville
File



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

October 20, 1998

CERTIFICATION OF APPROVAL

RE: Remedial Action Plan, Site 7174, McCoy Annex Base Exchange
Service Station, Orlando, Florida.

I hereby certify that in my professional judgment, the components of this remedial action plan satisfy the requirements set forth in Chapter 62-770, F.A.C., and that the engineering design features incorporated in this plan provide reasonable assurances of achieving the objectives stated in Chapter 62-770, F.A.C., for remedial actions. However, I have not evaluated and do not certify aspects of this plan that are outside the limits of my review responsibilities and outside my area of expertise (including but not limited to electrical, mechanical, and structural features). I personally completed this review.

Gregory M. Brown, P.E.
Professional Engineer No. 42194
Expires February 28, 1999

OCT 20 1998
Date